

1 MAGISTRATE JUDGE MARY ALICE THEILER  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA, ) NO. CR05-315-JLR  
11 Plaintiff, )  
12 vs. ) (PROPOSED) ORDER TO EXTEND  
13 Defendant. ) TIME TO FILE INDICTMENT  
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15 The Court, having reviewed the stipulation of the parties, and the defendant's  
16 agreement to extend the time for an indictment, finds as to the facts stipulated to by counsel  
17 in that document, and hereby makes the following findings of fact:  
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19 1. A failure to grant the continuance would deny counsel the reasonable time  
20 necessary for effective preparation, taking into account the exercise of due diligence, within  
21 the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii).  
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23 2. The parties believe that an extension of time in which to indict may result in  
24 the possible resolution of the case without an indictment and without trial. Thus, the Court  
25 further finds that the ends of justice will be served by ordering a continuance in this case,  
26 that a continuance is necessary to insure effective trial preparation and that these factors  
outweigh the best interests of the public in a more speedy trial, within the meaning of 18  
U.S.C. § 3161(h)(8)(A).  
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(PROPOSED) ORDER TO EXTEND  
TIME TO FILE INDICTMENT  
(Eddie Martinez-Santana; #05-315JLR)

1 IT IS THEREFORE HEREBY ORDERED that the time within which an  
2 indictment in this case must be filed against the defendant shall be extended from  
3 September 22, 2005, to October 28, 2005.

4 IT IS FURTHER ORDERED that the period of delay from September 22, 2005,  
5 to October 28, 2005, is excludable time pursuant to the Speedy Trial Act, 18, U.S.C. §§  
6 3161 *et seq.*

7 DONE this 20th day of September, 2005.

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10 Mary Alice Theiler  
United States Magistrate Judge

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12 Presented by:

13 s/ Jennifer E. Wellman  
14 WSBA # 29193  
15 Assistant Federal Public Defender  
16 Attorney for Eddie Martinez-Santana  
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24 s/ Donald Reno  
25 Assistant United States Attorney  
26 *E-Mail Approval*